

IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS
ABILENE DIVISION

IN RE:

JAMES WILLIAM MICHAEL
EDNA DIANE MICHAEL

CASE NO: 09-10146-RLJ-13
HEARING DATE: 1/6/2010
HEARING TIME: 11:00 AM

**TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS, OBJECTION TO CLAIMS AND
PLAN MODIFICATION (if required)**

NOW COMES Walter O'Cheskey, Chapter 13 Trustee, and files this Proposed Trustee's Recommendation Concerning Claims and Plan Modification (if required) in accordance with Bankruptcy Rule 3007 and General Order 2006-08 and would respectively show unto to the Court as follows:

I.

OBJECTION -- NO PROOF OF CLAIM FILED

The following creditors were scheduled by the Debtor(s). No Proof of Claim has been filed by them or on their behalf, as required by Bankruptcy Rule 3002(a). The bar date for filing claims pursuant to Bankruptcy Rule 3002(c) has passed. Therefore the claims should be DISALLOWED.

Trustee Clm#	Creditor Name	Scheduled Amount	Trustee Clm#	Creditor Name	Scheduled Amount
014 0 U	AAROW FINANCIAL SERVICES	\$671.00	016 0 U	AUSTIN FINANCE COMPANY	\$266.00
017 0 U	CAC FINANCIAL GROUP	\$884.00	020 0 U	CHECK N GO	\$1,658.46
021 0 U	CITI AUTO	\$1.00	022 0 U	CITIFINANCIAL	\$100.00
024 0 U	COLLECTION COMPANY OF	\$231.00	025 0 U	CREDIT SOLUTIONS	\$526.00
026 0 U	CREDIT PROTECTION	\$95.00	027 0 U	CREDIT SOLUTIONS	\$526.00
028 0 U	EASTLAND MEMORIAL HOSPITAL	\$100.00	029 0 U	EZ PAWN	\$860.00
032 0 U	KCA FINANCIAL SVCS	\$70.00	035 0 U	NCO FIN 99	\$167.00
038 0 U	PORTFOLIO RECOVERY	\$577.00	040 0 U	PRIDE 'N TEXAS LAND LTD	\$390.00
041 0 U	SERVICE BUREAU INC	\$103.00	042 0 U	WEST CENTRAL TEXAS COLLECTION BUREAU	\$167.00
043 0 U	ZENITH ACQUISITION	\$322.00			

II.

SPECIFIC OBJECTIONS

No Objections

III.

TRUSTEE'S RECOMMENDATIONS CONCERNING ALLOWED CLAIMS

The Trustee hereby recommends the ALLOWANCE of the following claims for the amount and in the class as listed below.

Trustee Claim #	Creditor	Collateral / Description	Claim Amount	Value	%	Term	Paid / Treated
SECURED CREDITORS							
008 0	FRONTIER MOTORS	03 DODGE CARAVAN	\$13,172.43	\$13,172.43	10.00%	50	\$273.58 PAID BY TRUSTEE
009 0	COUNTY OF EASTLAND	2009 PROPERTY TAXES	\$89.40	\$17,290.00			PD DIRECT BY DEBTOR
010 0	WOODRIDGE PROPERTIES	HOMESTEAD	\$0.00	\$17,290.00			PD DIRECT BY DEBTOR
011 0 *	WOODRIDGE PROPERTIES	HOME ARREARS -- NO CLAIM FILED.	\$0.00	\$17,290.00	10.00%	50	\$17.84 PAID BY TRUSTEE

No payments will be made unless a proof of claim is filed.

UNSECURED GENERAL CREDITORS

Trustee Clm#	Creditor Name	Claim Amount	Trustee Clm#	Creditor Name	Claim Amount
012 0 U	AIS SERVICES SERVICES	\$681.87	013 0 U	APPLIED BANK PURCHASES	\$1,158.81
015 0 U	BECKET & LEE LLP SERVICES/AT&T	\$813.42	018 0 U	ACE AMERICAS CASH EXPR LOAN	\$790.81
030 0 U	FIGIS INC PURCHASES	\$79.87	031 0 U	PRA RECEIVABLES MANAGEMENT PURCHASES/HSBC	\$538.43
034 0 U	MIDLAND CREDIT MANAGEMENT SERVICES	\$625.09	037 0 U	JEFFERSON CAPITAL SYSTEMS PURCHASES/NORTH STAR CAPITAL	\$322.76
045 0 U *	CITIFINANCIAL AUTO LTD AUTO DEFICIENCY	\$6,556.12	057 0 U *	BECKET & LEE LLP PURCHASES/CAPITAL ONE	\$1,191.51

Not provided for in confirmed plan.

If the Trustee's recommendation concerning any claim differs from the amount indicated in a creditor's Proof of Claim, the recommendation is deemed an objection to such claim. Unless a timely response or objection is filed contesting the Trustee's recommendation, the objection will be sustained and such claim will be allowed only in the amount and in the class indicated.

Any proposed changes by the Debtor that extends the term or lowers the interest rate as to any secured claim contained in the confirmed Plan must be set out in a Debtor's Objection or Response to the Trustee's Recommendation Concerning Claims and noticed to the affected creditor in the absence of a letter agreement between the Debtor and the affected creditor.

IV.

TRUSTEE'S PLAN MODIFICATION

Pursuant to 11 U.S.C. Section 1329, and in accordance with General Order 2006-08 Section 8, the Trustee requests the following Modification of Debtor(s)' Confirmed Plan, subject to feasibility herein:

Trustee's Modification is as follows:

The secured claim filed by Eastland CAD in the amount of \$190.91 shall be valued at \$17,290 and paid direct.

Debtor shall pay \$429 per month beginning May 2009 for 52 months. Insurance proceeds in the amount of \$3,980.34 received November 2009 shall be applied to the base for a total base amount of \$26,288.34.

/s/ Walter O'Cheskey

Walter O'Cheskey
Chapter 13 Trustee

IF AN OBJECTION IS FILED, A HEARING WILL BE HELD 1/6/2010 AT 11:00 AM CONCERNING THE TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS, OBJECTION TO CLAIMS AND PLAN MODIFICATION (IF REQUIRED) (TRCC) AT THE FOLLOWING LOCATION:

VIDEO: US COURTHOUSE ROOM 2201, 3RD & PINE, ABILENE, TEXAS 79604

A PRE-HEARING CONFERENCE WITH THE TRUSTEE SHALL BE HELD AT THE SAME LOCATION AT 08:30 AM. ALL PARTIES ARE REQUIRED TO ATTEND THE PREHEARING CONFERENCE. ANY OBJECTIONS TO THE PLEADINGS NOT RESOLVED OR DEFAULTED AT THE PRE-HEARING CONFERENCE WILL BE HEARD BY THE COURT AT THE HEARING DATE AND TIME ABOVE. TO BE CONSIDERED, ANY OBJECTION OR RESPONSE MUST BE MADE IN WRITING, SERVED ON ALL EFFECTED CREDITORS AND FILED WITH THE COURT WITHIN THIRTY (30) DAYS FROM THE DATE OF SERVICE.

PURSUANT TO GENERAL ORDER 2006-08 SECTION 8(C), UNLESS AN OBJECTION IS TIMELY FILED AS TO THE TREATMENT OF ANY CLAIM OR MODIFICATION, THE CLAIM OR MODIFICATION WILL BE ALLOWED OR APPROVED AS DESCRIBED IN THE TRCC AND SUCH TREATMENT WILL BE FINAL AND BINDING ON ALL PARTIES.

/s/ Walter O'Cheskey

Walter O'Cheskey
Chapter 13 Trustee

I hereby certify that a copy of the foregoing Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification (if required) and Notice of Hearing and Pre-Hearing Conference on Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification (if required) was this date served on the following parties electronically or at the addresses listed below by U.S. First Class mail:

Date: 12/1/2009

/s/ Walter O'Cheskey

Walter O'Cheskey
Chapter 13 Trustee

AARONS RENTAL 3502 CATCLAW ABILENE TX 79606
AAROW FINANCIAL SERVICES 5996 W TOUHY AVE NILES IL 60714
ACE AMERICAS CASH EXPR C/O CREDITORS BANKRUPTCY SERVICES PO BOX 740933 DALLAS TX 75374
AIS SERVICES 50 CALIFORNIA ST SUITE 1500 SAN FRANCISCO CA 94111
AIS SERVICES LLC 50 CALIFORNIA ST STE 150 SAN FRANCISCO CA 94111
APPLIED BANK PO BOX 17125 WILMINGTON DE 19850
APPLIED CARD BANK ATTN GENERAL INQUIRIES PO BOX 17125 WILMINGTON DE 19850
AT&T PO BOX 930170 DALLAS TX 75393
AUSTIN FINANCE COMPANY 1110 W WALKER STREET BRECKENRIDGE TX 76424
BECKET & LEE LLP ATTORNEYS AT LAW 16 GENERAL WARREN, PO BOX 3001 MALVERN PA 19355
CAC FINANCIAL GROUP 2601 NW EXPRESS WAY OKLAHOMA CITY OK 73112
CASH AMERICA 1600 W 7TH STREET FT WORTH TX 76102
CASH AMERICA PAWN 143 SAYLES BLVD ABILENE TX 79605
CHECK N GO S 1ST ST ABILENE TX 79605
CITI AUTO 2208 HWY 121 BEDFORD TX 76021
CITIFINANCIAL 300 ST PAUL PL BALTIMORE MD 21202
CITIFINANCIAL 4147 N 1ST ABILENE TX 79603
CITIFINANCIAL AUTO LTD PO BOX 182287 COLUMBUS OH 43218
COLLECTION COMPANY OF 700 LONGWATER DR NORWELL MA 02061
COUNTY OF EASTLAND C/O MCCREARY VESELKA BRAGG & ALLEN PO BOX 1269 ROUND ROCK TX 78680
CREDIT PROTECTION 13355 NOEL RD STE 2100 DALLAS TX 75240
CREDIT SOLUTIONS 9573 CHESAPEAKE DR STE 1 SAN DIEGO CA 92123
EASTLAND CAD 2323 BRYAN STREET SUITE 1600 DALLAS TX 75201
EASTLAND COUNTY APPR. DIST. PO BOX 914 EASTLAND TX 76448
EASTLAND MEMORIAL HOSPITAL 304 SOUTH DAUGHERTY STREET EASTLAND TX 76448
EZ PAWN 3202 N 1ST STREET ABILENE TX 79603
FIGIS INC 3200 SOUTH MAPLE AVENUE MARSHFIELD WI 54449
FRONTIER MOTORS 4609 N 1ST ST ABILENE TX 79603
GE MONEY BANK C/O RECOVERY MANAGEMENT SYSTEMS CORP 25 SE 2ND AVE STE 1120 MIAMI FL 33131
HSBC BANK/BANKRUPTCY PO BOX 5253 CAROL STREAM IL 60197
INTERNAL REVENUE SERVICE PO BOX 21125 PHILADELPHIA PA 19114
INTERNAL REVENUE SERVICE PO BOX 21126 PHILADELPHIA PA 19114
INTERNAL REVENUE SERVICE SPECIAL PROCEDURES 1100 COMMERCE ST MC 5027DAL DALLAS TX 75242
JAMES WILLIAM MICHAEL & EDNA DIANE MICHAEL PO BOX 422 CISCO TX 76437
JEFFERSON CAPITAL SYSTEMS LLC PO BOX 7999 SAINT CLOUD MN 56302
JEFFERSON CAPITAL SYSTEMS PO BOX 23051 COLUMBUS GA 31902
KCA FINANCIAL SVCS 628 NORTH ST GENEVA IL 60134
LINEBARGER GOGGAN BLAIR & SAMPSON 2323 BRYAN STREET SUITE 1600 DALLAS TX 75201
MARLIN MEDCLR INOVISION 507 PRUDENTIAL ROAD HORSHAM PA 19044
MCCREARY VESELKA BRAGG & ALLEN PO BOX 1269 ROUND ROCK TX 78680
MICHAEL REED MCCREARY VESELKA BRAGG & ALLEN PC PO BOX 26990 AUSTIN TX 78755
MIDLAND CREDIT MANAGEMENT 8875 AERO DRIVE SUITE 200 SAN DIEGO CA 92123
MONTE J WHITE & ASSOCIATES PC ATTORNEY AT LAW ABILENE 402 CYPRESS SUITE 310 ABILENE TX 79601
NCO FIN 99 PO BOX 41466 PHILADELPHIA PA 19101
PLAINS COMMERCE BANK 5109 S BROADBAND LN SIOUX FALLS SD 57108
PORTFOLIO RECOVERY 120 CORPORATE BLVD. SUITE 100 NORFOLK VA 12730
PRA RECEIVABLES MANAGEMENT PORTFOLIO REC ASSOC PO BOX 41067 NORFOLK VA 23541
PRA RECEIVABLES MANAGEMENT PORTFOLIO RECOVERY ASSOC PO BOX 12914 NORFOLK VA 23541
PRIDE 'N TEXAS LAND LTD 4123 N 1ST STREET ABILENE TX 79603
SERVICE BUREAU INC 2705 81ST STREET LUBBOCK TX 79423
UNITED STATES ATTORNEY 801 CHERRY STREET UNIT 4 FT WORTH TX 76102
US ATTORNEY ATTORNEY IN CHARGE 1100 COMMERCE 3RD FLOOR DALLAS TX 75242
US ATTORNEY GENERAL 10TH ST & CONSTITUTION AVE WASHINGTON DC 20530
WEST CENTRAL TEXAS COLLECTION BUREAU PO BOX 2586 ABILENE TX 79604
WILLIAM T NEARY UNITED STATES TRUSTEE 1100 COMMERCE STREET RM 976 DALLAS TX 75242
WOODRIDGE PROPERTIES PO BOX 2473 ABILENE TX 79604
ZENITH ACQUISITION 220 JOHN GLENN DR #1 AMHERST NY 14228